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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. CR 20-00249 RS
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED] ORDER
v.)	FOR REAL-TIME, REMOTE VIDEO
)	TESTIMONY DURING TRIAL
)	
ROWLAND MARCUS ANDRADE,)	Dept.: Courtroom 3 – 17th Floor
)	Judge: Hon. Richard Seeborg
Defendant.)	
)	Trial Date: February 10, 2025
)	
)	

In its Order on January 23, 2025, the Court directed the parties “to meet and confer to develop an appropriate protocol for virtual testimony.” Dkt. 497, at 7.

The parties have met and conferred, and counsel for Mr. Andrade have conferred with him on this stipulation. The parties jointly propose the following protocol for virtual testimony.

- 1 1. Abramoff will provide real-time, remote testimony from a conference room in Winston &
2 Strawn, LLP's offices in Washington, D.C. starting at 8:30 a.m. Pacific Time on Monday,
3 February 24, 2025. Abramoff will not wear a medical mask. All other individuals physically
4 present in the conference room will wear a medical mask.
- 5 2. Abramoff's video and audio testimony will be displayed in real-time on a monitor in the
6 courtroom in San Francisco. The Court will preside over Abramoff's testimony from the
7 courtroom in San Francisco with the jury present. The Court will rule on objections from the
8 courtroom in San Francisco.
- 9 3. Defendant Andrade's personal preference is to be physically present with Abramoff during
10 Abramoff's testimony rather than being in the courtroom in San Francisco during Abramoff's
11 testimony. Accordingly, Andrade will be physically present in Washington, D.C. with his
12 attorney and in Abramoff's presence during Abramoff's testimony; Andrade will not be
13 physically present in the courtroom with the jury in San Francisco. Andrade personally
14 waives any claim of error arising from this testimonial arrangement, including his
15 constitutional right to be physically present in the courtroom in San Francisco with the jury
16 during Abramoff's real-time, remote testimony.
- 17 4. Because Abramoff's testimony will be scheduled at a specific time to accommodate his
18 medical condition and treatment, the presence of the defendant, and the presence of counsel,
19 the Court in its discretion may adjust the schedule of the trial accordingly. The Court may,
20 for example, interrupt the direct- or cross-examination of the witness preceding Abramoff, so
21 that Abramoff's testimony may begin on schedule, and resume that other witness's testimony
22 after Abramoff's testimony. Alternatively, the Court may end the Friday, February 21, 2025
23 trial day early so that Abramoff's testimony will not potentially interrupt another witness's
24 testimony.
- 25 5. Pursuant to 18 U.S.C. § 4285, the United States Marshal shall furnish the fare for Andrade's
26 transportation from San Francisco to Washington, D.C. and back from Washington, D.C. to
27 San Francisco because Andrade's personal appearance at Abramoff's testimony in
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1 Washington, D.C. and Andrade's return to trial in San Francisco is required. While
2 Andrade's travel is under complete control of the United States Marshal, the U.S. Marshal
3 and Defendant Andrade understand that they shall take all reasonable steps to ensure that
4 Abramoff's testimony can start at 8:30 a.m. Pacific Time on February 24, 2025. Such
5 reasonable steps include booking Andrade a non-stop flight that arrives in Washington, D.C.
6 no later than Saturday, February 22, 2025. Likewise, the United States Marshal shall book
7 Andrade a non-stop flight from Washington, D.C. to San Francisco the same day as the close
8 of Abramoff's testimony. Andrade will make all reasonable efforts to return from
9 Washington, D.C. to the courtroom in San Francisco so that trial is not interrupted or
10 delayed. This may require Andrade to take a late evening or overnight flight following the
11 conclusion of Abramoff's testimony. Working with the United States Marshal, Andrade will
12 make all reasonable efforts to return to San Francisco so that trial in San Francisco can
13 resume at 8:30 a.m. Pacific Time the day after the close of Abramoff's testimony.
14 Accordingly, the Court directs the United States Marshal to do everything reasonably
15 possible to ensure that Mr. Andrade can return to San Francisco in time to be present at 8:30
16 a.m. Pacific Time the day after the close of Abramoff's testimony.

17 6. The Court may, at its discretion, excuse Abramoff for the day prior to the scheduled end of
18 the trial day (1:30 p.m. Pacific Time) on any day he testifies. The Court may exercise this
19 authority if it deems interruption of Abramoff's testimony to be appropriate given
20 Abramoff's health and condition.

21 *[Remainder of page intentionally blank.]*
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7. Nothing in this stipulation waives in any way Defendant Andrade's right to a full cross-examination of Abramoff.

DATED: February 2, 2025

Respectfully submitted,

ISMAIL J. RAMSEY
United States Attorney

/s/
CHRISTIAAN HIGHSMITH
DAVID WARD
Assistant United States Attorneys

MATTHEW CHOU
Special Assistant United States Attorney

DATED: February 2, 2025

By: /s/
MICHAEL J. SHEPARD
KERRIE C. DENT
CINDY A. DIAMOND
Attorneys for Defendant ANDRADE

[PROPOSED] ORDER

Based upon the stipulation of the parties, and for good cause shown, the stipulation of the parties is hereby ORDERED.

SO ORDERED.

Dated: _____

HONORABLE RICHARD SEEBORG
United States Chief District Judge